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IN THE UNITED STATES PATENT & TRADEMARK OFFICE

IN RE APPLICATION OF :
OSAMU KIZAKI, ET AL. : EXAMINER: ZHENG, JACKY X.
SERIAL NO: 10/692,792 :
FILED: OCTOBER 27, 2003 : GROUP ART UNIT: 2625
FOR: IMAGE FORMING APPARATUS :
AND METHOD OF ACQUIRING
MEMORY AREA

RECORDATION OF SUBSTANCE OF INTERVIEW UNDER M.P.E.P. § 713.04

COMMISSIONER FOR PATENTS
ALEXANDRIA, VIRGINIA 22313

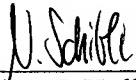
SIR:

In response to the Office Action of December 14, 2007, and the Advisory Action of April 29, 2008, Applicants' representative Nikolaus P. Schibli contacted Supervisory Examiner Haskins to discuss the withdrawal of new Claims 28-37 as allegedly being outside the scope of the invention that was elected by original presentation under M.P.E.P. § 821.03, and the rejoining of cancelled Claims 1-27 by Examiner Zheng. Applicants explained that Claims 28-37 were not directed to a different invention, and that both original Claim 1 and new independent Claim 28 were directed to the embodiment shown in Fig. 1, and therefore requested a review of the correctness of the election and withdrawal of the claims by the Supervisory Examiner. In a telephone discussion of May 15, 2008, Examiner Haskins

indicated that the withdrawal of Claims 28-37, and the rejoinder of cancelled Claims 1-27 was improper, and that a new Office Action will issue shortly.

Respectfully submitted,

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